IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 2ND JULY 2007 / 11TH ASHADHA 1929

Crl.Rev.Pet.No. 2436 of 2007()

CRA.300/2001 of ADDL. SESSIONS COURT (ADHOC), KOZHIKODE
CC.382/1993 of JUDL. MAGISTRATE OF FIRST CLASS-I, KOZHIKODE

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REVN. PETITIONER: REVISION PETITIONER;

A.P.GEORGE @ THANKACHAN, S/O.PAPPACHAN,
ARAYANIKKAL HOUSE, PALAKKUZHA VILLAGE,
KARIMBANAP.O., KOOTHATTUKULAM, ERNAKULAM.

BY ADV. SRI.MATHAI VARKEY MUTHIRENTHY
SRI.ICANS C.CHAMAKKALA

RESPONDENTS: RESPONDENT:

KERALA STATE REPRESENTED BY THE
SUB INSPECTOR OF POLICE (TOWN) THROUGH
PUBLIC PROSECUTOR, KOZHIKODE.

BY PUBLIC PROSECUTOR SRI. K.S. SIVAKUMAR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 26-06-2007 THE COURT ON 02/07/2007, PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl. R.P. No. 2436 of 2007

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Dated, this the 2nd day of July 2007

ORDER

In this Revision filed under Section 397 read with Sec. 401 Cr.P.C. the petitioner who is the accused in C.c. 382 of 1993 on the file of the Judl. First Class Magistrate-I, Kozhikode challenges the conviction entered and the sentence passed by the courts below for an offence punishable under Section 379 I.P.C.

2. I heard the learned counsel for the Revision Petitioner and the learned Public Prosecutor.

3. Even though the learned counsel appearing for the revision petitioner assailed the judgments, the findings recorded by the courts below are on the basis of appreciation of the oral and documentary evidence. Both the courts have believed the prosecution witnesses and sitting in the rarefied revisional jurisdiction, this Court will be loathe in interfering with the concurrent findings. I do not find any error, illegality or impropriety in the findings recorded by the courts below.

This Revision which is devoid of any merit and is accordingly dismissed confirming the conviction entered and the sentence passed against the revision petitioner.

V. RAMKUMAR, JUDGE